

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:07CV11-1-MU

WILLIAM A. RICHARDS,)	
)	
Petitioner,)	
)	
v.)	<u>O R D E R</u>
)	
WILLARD JOBE, supt.,)	
)	
Respondent.)	
)	

THIS MATTER comes before the Court upon the Respondent's Motion for Summary Judgment, filed February 23, 2007.

On February 26, 2007, the Court sent Petitioner an Order in compliance with the holding set forth in Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975). In this Order, the Court notified the Petitioner that the Respondent had filed a Motion for Summary Judgment and that if the Petitioner failed to respond to this motion within thirty days, the Court might grant the Motion for Summary Judgment. Thirty days have passed since the Court's Roseboro Order and Petitioner has failed to respond to the Respondent's Motion.

The Court has carefully reviewed the Motion for Summary Judgment and finds that for the reasons set forth in Respondent's Motion for Summary Judgment, Respondent is entitled to a dismissal.

THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent's Motion for Summary Judgment is **GRANTED; and**
2. Petitioner's Petition for a Writ of Habeas Corpus is **DISMISSED.**

Signed: March 30, 2007



Graham C. Mullen
United States District Judge

